

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**FILED**
HARRISBURG, PA

JUL 05 2017

(1) CEDRIC TYRONE WALKER # 77071-279

(Name of Plaintiff) (Inmate Number)

846 N.E. Terrace, Coleman, FL 33521-1033

(Address)

(2) Detroit Hipes # 177

(Name of Plaintiff) (Inmate Number)

UNKNOWN

(Address)

(Each named party must be numbered,
and all names must be printed or typed)

vs.

CIVIL COMPLAINT

(1) P. Ramirez, Food Service Administrator(2) Amy Schoonover, RN(3) Jeana Mitterling, RN

(Names of Defendants) United States, et al.

(Each named party must be numbered,
and all names must be printed or typed)TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS✓ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

CEDRIC TYRONE WALKER v. WARDEN DAVID J. EBBERT, # 1:16-cv-00330 Judge Sylvia H. Rambo.Walker, et al v. Fisher, et al Civil Action No. # 1:16-cv-1326 Judge Sylvia H. Rambo.IN RE: CEDRIC TYRONE WALKER v. Warden DAVID J. EBBERT, et al. Civil Action No. # 1:16-cv-2387 Judge Sylvia H. Rambo.

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IN THE UNITED STATES
DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

CEDRIC THRONE WALKER, ET AL.:

DETROIT HINES :

YOSUF BUSH :

Plaintiff, :

: Summons

v. :

: Civil Action No. ____

United States, ET AL. :

P. Ramirez, Food Administrator :

Amy Schoonover, RN :

Jeanne Mitterling, RN the suit is :

against, individually capacities, :

Defendants. :

TO THE ABOVE-NAMED DEFENDANTS:

You are hereby summoned and required to serve upon plaintiffs, whose address is [846 N.E. terrace, Coleman, FL 33521] an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service, or 60 days if the U.S. Government or officer/agent thereof is a defendant. If you fail to do so, judgment by default will be taken against you for the relief

demanded in the complaint.

Clerk of the Court

Date: June 26, 2017

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:
1. What steps did you take? A BP-8, BP-9, BP-10, BP-11, and Standard 95 form were filed at there institution, and NER regional office.
 2. What was the result? I was denied request for monetary compensation, 3-21-17. TRT-NER-2017-01660.
- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS

- (1) Name of first defendant: P. Ramirez
- Employed as Food Service at U.S.P. Lewisburg
 Mailing address: U.S.P. Lewisburg, P.O. Box 1000, Lewisburg, PA 17837
- (2) Name of second defendant: Amy Schooner
- Employed as RN at U.S.P. Lewisburg
 Mailing address: U.S.P. Lewisburg, P.O. Box 1000, Lewisburg, PA 17837
- (3) Name of third defendant: Jean Mitterling
- Employed as RN at U.S.P.
 Mailing address: U.S.P. Lewisburg, P.O. Box 1000, Lewisburg, PA 17837

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. On November 29th, 2016 I was escorted to the quarantine unit for inmates having syptoms associated with food poisoning I was vomiting, had violent diarrhea hot and cold spells accompaigned by fever aches, pain blood in my stool and

inability to retain any fluids which caused dehydration and the need for

2. IV's, Food administration, Warden staff and medical Staff were negligent in their handling of these outbreaks. Two weeks prior inmates on my tier became sick with these same symptoms and were treated by medical staff the above mentioned were deliberately indifferent failing to respond appropriately to the
3. whole population was receiving food properly prepared and served under sanitary conditions they failed in their duties which led to a wide spread outbreak that could have been thwarted had they shut down the kitchen the week for veterans day when they first became aware of of the symptoms. Negligence, Salmonella poisoning, vomiting, diarrhea, nausea, hot and cold sweats, fever blood in stool, dehydration body aches and pains inability to hold bowels, for 10 days.

V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

REQUESTS FOR MONETARY COMPENSATION;

1. [REDACTED] Compensatory damages in the amount of \$ 50,000 against each defendant, jointly and severally. Punitive damages in the amount of \$ 50,000 against each defendant. A jury trial on all issues triable by jury. Plaintiff's costs in this suit. Any additional relief this
2. court deems just, proper, and equitable. MOTION FOR APPOINTMENT OF COUNSEL on all cases brought by me, NOTICE OF A LAWSUIT, AND [REDACTED] Under the Federal Tort Claims Act, or consent decrees, and Federal Rule Civil Procedure Rule 23 (a).
3. _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 27 day of June, 2017.

Ms. Cedric J. Walker
(Signature of Plaintiff)

Mr. CEDRIC TYRONE WALKER # 77071279
Federal Correctional Complex - U.S.P. 1, H-UNIT
P.O. Box 1033
Coleman, Florida 33521-1033

RECEIVED
HARRISBURG, PA

JUL 05 2017

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Legal Mail

17108-098884 HARRISBURG, PA 17108-098884

Clerk of Court
United States District Court
Middle District of Pennsylvania
U.S. Courthouse
228 WALNUT STREET
P.O. Box 983

TAMPA, FL 335
SAINT PETERSBURG, FL 337
27 JUL 2017 PM 4

